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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Banerjee *et al.*

Serial No.: 09/887,281

Confirmation No.: 6268

Filed: June 22, 2001

For: *BRONCHODILATING
COMPOSITIONS AND METHODS*

Art Unit: 1614

Examiner: Weddington, K.

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Commissioner for Patents
Washington, D.C. 20231

Kelly Fischer
Kelly Fischer

ELECTION AND PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Restriction Requirement, mailed January 30, 2002, Applicant elects, with traverse, Group I, claims 1-61, 77-89 and 94-99, drawn to pharmaceutical compositions comprising formoterol, for examination on the merits.

IN THE CLAIMS:

Please cancel claims 62-64, 68-70, 74-76, 90 and 91 without prejudice or disclaimer.

REMARKS

Any fees that may be due in connection with this paper, or with this application throughout its pendency, may be charged to Deposit Account No. 50-1213. If a Petition for an Extension of Time is required, this paper is to be considered such Petition.

Claims 1-61, 65-67, 71-73, 77-89 and 92-99 are pending. Claims 62-64, 68-70, 74-76, 90 and 91 are cancelled herein without prejudice or